



Entered on Docket
August 23, 2011

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Fiesta Murietta Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fiesta Murietta Loan." ("Fiesta Murietta Loan") [DE 8472] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed, the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Fiesta Murietta Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8472] is sustained; and

5 2. The claims listed on **Exhibit A** attached, are disallowed to the extent those
6 claims are based upon an investment in the Fiesta Murietta Loan.

7 PREPARED AND RESPECTFULLY SUBMITTED BY:

8 **LEWIS AND ROCA LLP**
9

10 By /s/ John Hinderaker
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker.
Attorneys for USACM Liquidating Trust

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**USACM Trust
Fiesta Murrieta
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Fiesta Development - Murrieta Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Fiesta Development - Murrieta Loan
10725-02312	1/13/2007	Kantor, Lynn M Fka Lynn Maguire	C/O Micahel M Schmahl Mcguirewoods LLP 77 W Wacker Dr. Ste 4100 Chicago, IL 60601	Unliquidated	Unliquidated
10725-01208	11/10/2006	Monighetti, Pete	6515 Frankie Ln Prunedale, CA 93907	1,509,963.55	100,000.00
10725-01865	1/10/2007	Oosthuizen, Adrian Jr	5860 Lausanne Dr Reno, NV 89511	2,711,295.30	100,000.00
10725-00807	10/30/2006	Perrone, Catherine	923 Croton Rd Celebration, FL 34747-4843	180,000.00	100,000.00
10725-02496	6/4/2007	Richard N Krupp	101 State Pl Ste I Escondido, CA 92029-1365	250,167.22	250,000.00
10725-00245	9/26/2006	Robert H & Lynn R Perlman Trust Dated 9/17/92	C/O Robert H & Lynn R Perlman Tees 2877 Paradise Rd Unit 3501 Las Vegas, NV 89109-5278	1,187,000.00	50,000.00
10725-01931	1/11/2007	Ronning, Crosbie B	Po Box 7804 Incline Village, NV 89452-7804	37,500.00	12,500.00
10725-01410	12/4/2006	Ronning, Grable B	Po Box 7804 Incline Village, NV 89452-7804	112,159.00	37,500.00
10725-02303	1/13/2007	Sharp Jr Ten, Chris & Terri	29276 Whitegate Ln Highland, CA 92346	200,000.00	60,000.00
10725-02123	1/11/2007	Universal Management Inc A Nevada Corp	8080 Harborview Rd Blaine, WA 98230	1,438,118.00	200,000.00
10728-00076	10/19/2006	Younge, Richard L IRA	6131 SW Luradel St Portland, OR 97219-5737	150,000.00	100,000.00

EXHIBIT A